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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

90/005,628

# Office Action Summary

Application No.  
90/005,541; 90/005,592  
09/512,592; 90/005,727

Applicant(s)  
DICKENS, BRUCE M.

Examiner  
Frantz Coby

Art Unit  
2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-76 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-76 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office-Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

This is in response to Applicant's response filed on February 28, 2005 in which claims 1-76 are pending.

**Status of Claims**

Claims 1-76 are pending.

Applicant's arguments filed on the aforementioned data have been fully considered but they are not persuasive. Therefore, the rejections of claims 1-76 mailed on October 27, 2004 remain.

The grounds of rejections are as follows:

**New Matter**

The amendment filed on June 30, 2004 (Paper # 40E) is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material (the attached Exhibit A) submitted on February 28, 2005 is not supported by the original disclosure. The objection is hereby incorporated by reference (See Pages 1-2 of Office Action mailed on October 27, 2004).

**Reissue Applications**

The objection to Oath/Declaration is hereby incorporated by reference (See Pages 2-5 of Office Action mailed on October 27, 2004).

***Claim Rejections - 35 USC § 112***

Claims 16-67, 69-73, 75- 76 rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors), at the time the application was filed, had possession of the claimed invention are hereby incorporated by reference (See Pages 5-9 of Office Action mailed October 27, 2004).

Claims 1-76 rejected under 35 U.S.C. 112, second paragraph, as failing to particularly point out and distinctly claim the subject matter, which the applicant regards as his invention are hereby incorporated by reference (See Pages 5-9 of Office Action mailed October 27, 2004).

***Claim Rejections - 35 USC § 103***

Claims 1-3, 5, 7, 9-10 rejected under 35 U.S. C. 103(a) as obvious over P. Daniel Shaughnessy, US. Patent No. 5, 630,118, filed on November 21, 1994 and issued on May 13,1997 in view of Masakazu Hazama, Japanese Application No. 05-027947, published on February 5, 1993 are hereby incorporated by reference (See paragraphs 8-9; Pages 9-16 of Office Action mailed October 27, 2004).

Claims 4, 6, 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Shaughnessy in view of Hazama, as applied to the rejection of claims 1-3, 5, 7, 9-10 above, further in view of Booth et al. Implementation in Clipper 5A Developer's Guide are hereby incorporated by reference (See Paragraph 10, Pages 16-18).

Claims 11-18, 20, 22, 24-25 rejected under 35 U.S.C. 103(a) as obvious over Shaughnessy in view Hazama are hereby incorporated by reference (See Pages 18-28 of Office Action mailed on October 27, 2004).

Claims 19, 21, 23 rejected under 35 U.S.C. 103(a) as being unpatentable over Shaughnessy in view of Hazama, as applied to the rejection of claims 16-18, 20, 22, 24-25 above, further in view of Booth are hereby incorporated by reference (See paragraph 13, pages 28-30 of Office Action mailed on October 27, 2004).

Claims 26-30 rejected under 35 U.S.C. 103(a) as being unpatentable over Shaughnessy in view of Hazama, and further in view of Booth are hereby incorporated by reference (See paragraph 14, pages 30-35 of Office Action mailed on October 27, 2004).

Claim 31 rejected under 35 U.S.C. 103(a) as being unpatentable over  
Shaughnessy in view of Hazama is hereby incorporated by reference (See paragraph  
15, pages 35-38 of Office Action mailed on October 27, 2004)..

Claim 32 rejected under 35 U.S.C. 103(a) as being unpatentable over  
Shaughnessy in view of Hazama, and further in view of Booth is hereby incorporated by  
reference (See paragraph 16, pages 38-41 of Office Action mailed on October 27,  
2004).

Claim 33 rejected under 35 U.S.C. 103(a) as being unpatentable over  
Shaughnessy in view of Hazama is hereby incorporated by reference (See paragraph  
17, pages 41-44 of Office Action mailed on October 27, 2004).

Claims 34-59 rejected under 35 U.S.C. 103(a) as being unpatentable over  
Shaughnessy in view of Hazama, and further in view of Booth method are hereby  
incorporated by reference (See paragraph 18, pages 44-55 of Office Action mailed on  
October 27, 2004)..

Claim 60 rejected under 35 U.S.C. 103(a) as being unpatentable over  
Shaughnessy in view of Hazama, and further in view of Booth is hereby incorporated by  
reference (See paragraph 19 pages 55-58 of Office Action mailed on October 27, 2004).

Claim 61 rejected under 35 U.S.C. 103(a) as being unpatentable over Shaughnessy in view of Hazama, and further in view of Booth is hereby incorporated by reference (See paragraph 20, pages 58-62 of Office Action mailed on October 27, 2004).

Claim 62 rejected under 35 U.S.C. 103 (a) as being unpatentable over Shaughnessy in view of Hazama, and further in view of Booth is hereby incorporated by reference (See paragraph 21, pages 62-65 of Office Action mailed on October 27, 2004).

Claim 63 rejected under 35 U.S.C. 103(a) as being unpatentable over Shaughnessy in view of Hazama, and further in view of Booth is hereby incorporated by reference (See paragraph 22, pages 65-69 of Office Action mailed on October 27, 2004).

Claim 64 rejected under 35 U.S.C. 103(a) as being unpatentable over Shaughnessy in view of Hazama, and further in view of Booth is hereby incorporated by reference (See paragraph 23, pages 69-72 of Office Action mailed on October 27, 2004).

Claims 65-66 rejected under 35 U.S.C. 103(a) as being unpatentable over Shaughnessy in view of Hazama, and further in view of Booth are hereby incorporated by reference (See Pages 72-79 of Office Action mailed on October 27, 2004).

Claim 67 rejected under 35 U.S.C. 103(a) as obvious over Shaughnessy in view of Hazama is hereby incorporated by reference (See paragraph 26, pages 79-81 of Office Action mailed on October 27, 2004).

Claim 68 rejected under 35 U.S.C. 103(a) as being unpatentable over Shaughnessy in view of Hazama is hereby incorporated by reference (See paragraph 27, pages 81-84 of Office Action mailed on October 27, 2004).

Claim 69 rejected under 35 U.S.C. 103(a) as being unpatentable over Shaughnessy in view of Hazama is hereby incorporated by reference (See paragraph 28, pages 84-86 of Office Action mailed on October 27, 2004).

Claim 70 rejected under 35 U.S.C. 103(a) as being unpatentable over Shaughnessy in view of Hazama, and further in view of Booth is hereby incorporated by reference (See paragraph 29, pages 86-90 of Office Action mailed on October 27, 2004).



Claim 71 rejected under 35 U.S.C. 103(a) as being unpatentable over Shaughnessy in view of Hazama, and further in view of Booth is hereby incorporated by reference (See paragraph 30, pages 90-93 of Office Action mailed on October 27, 2004).

Claim 72 rejected under 35 U.S.C. 103(a) as being unpatentable over Shaughnessy in view of Hazama is hereby incorporated by reference (See paragraph 31, pages 93-96 of Office Action mailed on October 27, 2004).

Claims 73 rejected under 35 U.S.C. 103(a) as being unpatentable over Shaughnessy in view of Hazama is hereby incorporated by reference (See paragraph 32, pages 96-98 of Office Action mailed on October 27, 2004).

Claim 74 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaughnessy in view of Hazama, and further in view of Booth is hereby incorporated by reference (See paragraph 33, pages 98-101 of Office Action mailed on October 27, 2004).

Claims 75 rejected under 35 U.S.C. 103(a) as obvious over Shaughnessy in view of Hazama is hereby incorporated by reference (See paragraph 34, pages 101-104 of Office Action mailed on October 27, 2004).

Claims 76 rejected under 35 U.S.C. 103(a) as being unpatentable over Shaughnessy in view of Hazama, and further in view of Booth is hereby incorporated by reference (See paragraph 35, pages 104-107 of Office Action mailed on October 27, 2004).

Claims 1-3, 5, 7, 9-10 are rejected under 35 U.S. C. 103(a) as being unpatentable over B.G. Ohms, Computer processing of-Dates Outside the Twentieth Century, IBM Systems Journal, Volume 25, Number 2, 1986, pages 244-251, (Ohms, hereinafter), in view of Hazama (See paragraph 36, pages 107-11 of Office Action mailed on October 27, 2004).

Claims 4, 6, 8 rejected under 35 U.S.C, 103(a) as being unpatentable over Ohms in view of Hazama, as applied to the rejection of claims 1-3, 5, 7, 9-10 above, further in view of Booth are hereby incorporated by reference (See paragraph 37, pages 11-113 of Office Action mailed on October 27, 2004).

Claims 11-15 rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, further in view of Booth are incorporated by reference (See paragraph 38, pages 113-117 of Office Action mailed on October 27, 2004)..

Claims 16-18, 20, 22, 24-25 rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama are hereby incorporated by reference (See Paragraph 39, pages 117-121 of Office Action mailed on October 27, 2004).

Claims 19, 21, 23 rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, as applied to the rejection of claims 16-18, 20, 22, 24-25 above, further in view of Booth are hereby incorporated by reference (See paragraph 40, pages 121-123 of Office Action mailed on October 27, 2004).

Claims 26-30 rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, further in view of Booth are hereby incorporated by reference (See paragraph 41, pages 121-128 of Office Action mailed on October 27, 2004).

Claim 32 rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, further in view of Booth is hereby incorporated by reference (See paragraph 43, pages 129-131 of Office Action mailed on October 27, 2004)..

Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama is hereby incorporated by reference (See paragraph 44, pages 131-133 of Office Action mailed on October 27, 2004).

Claims 34-59 rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, further in view of Booth are hereby incorporated by reference (See paragraph 45, pages 133-143 of Office Action mailed on October 27, 2004).

Claim 60 rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, further in view of Booth is hereby incorporated by reference (See paragraph 46, pages 144-146 of Office Action mailed on October 27, 2004).

Claim 61 rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, further in view of Booth is hereby incorporated by reference (See paragraph 47, pages 146-149 of Office Action mailed on October 27, 2004).

Claim 62 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, further in view of Booth is hereby incorporated by reference (See paragraph 48, pages 149-151 of Office Action mailed on October 27, 2004).

Claim 63 rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, further in view of Booth is hereby incorporated by reference (See paragraph 49, pages 151-154 of Office Action mailed on October 27, 2004).

Claim 64 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, further in view of Booth is hereby incorporated by reference (See paragraph 64, pages 154-157 of Office Action mailed on October 27, 2004).

Claim 65 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, further in view of Booth (See paragraph 51, pages 157-160 of Office Action mailed on October 27, 2004).

Claim 66 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, further in view of Booth is hereby incorporated by reference (See paragraph 52, pages 160-162 of Office Action mailed on October 27, 2004).

Claim 67 rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, further in view of Booth is hereby incorporated by reference (See paragraph 53, pages 162-164 of Office Action mailed on October 27, 2004).

Claim 68 rejected under 35 U.S. C. 103(a) as being unpatentable over Ohms in view of Hazama is hereby incorporated by reference (See paragraph 54, pages 164-166 of Office Action mailed on October 27, 2004).

Claim 69 rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, further in view of Booth is hereby incorporated by reference (See paragraph 55, pages 166-169 of Office Action mailed on October 27, 2004).

Claim 70 rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, further in view of Booth is hereby incorporated by reference (See paragraph 56, pages 169-171 of Office Action mailed on October 27, 2004).

Claim 71 rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, further in view of Booth is hereby incorporated by reference (See paragraph 57, pages 171-174 of Office Action mailed on October 27, 2004).

Claim 72 rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama is hereby incorporated by reference (See paragraph 58, pages 174-176 of Office Action mailed on October 27, 2004)..

Claim 73 rejected under 35 U.S.C- 103(a) as being unpatentable over Ohms in view of Hazama is hereby incorporated by reference (See paragraph 59, pages 176-178 of Office Action mailed on October 27, 2004)..

Claim 74 rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, further in view of Booth is hereby incorporated by reference (See paragraph 60, pages 178-180 of Office Action mailed on October 27, 2004).

Claim 75 rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, further in view of Booth is hereby incorporated by reference (See paragraph 61, pages 180-182 of Office Action mailed on October 27, 2004).

Claim 76 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ohms in view of Hazama, further in view of Booth is hereby incorporated by reference (See paragraph 62, pages 182-184 of Office Action mailed on October 27, 2004)..

Response to Applicant's argument dated October 15, 2003 (See Paragraphs 64-77 of Office Action mailed on October 27, 2004).

Response to Declaration of Expert Witness Dated October 15, 2003 is hereby incorporated by reference (See Paragraphs 78-115 of Office Action mailed on October 27, 2004).

#### ***Oath of Declaration***

The Reissue oath/declaration filed with this application is defective because it fails to identify at least one error, which is relied upon to support the reissue application.

Further, it fails to refer to the amendment of 01/05/2002. See 37 CFR.1.175(a) (1), 37 C.F.R. 1.63 (b)(2), and MPEP 1414.

Changes made to the certificate of correction have not been incorporated into the specification of the reissue application. Applicant is required to submit a substitute specification, which complies with reissue practice.

Claims 1-76 are rejected as being based upon a defective reissue declaration under 35 U.S.C. 251 as set forth above. See 37 CFR 1.175. The nature of the defects) in the declaration is set forth in paragraphs above (See Paragraphs 117-119 of Office Action mailed on October 27, 2004).

### ***Remarks***

The Applicant argued, that "The Examiner has repeated essentially verbatim the rejections previously made in this case by Examiner Homere in an Office Action dated July 23 2002"; and that "these rejections have been addressed in response to the July 23, 2002 Office Action and those responses, including the filing of a supplemental declaration and related papers, are incorporated herein by reference". The Applicant continued and stated, "The Examiner has not indicated that objection lies with any of those additional papers so filed. The Examiner has added some additional comments regarding arguments made in the past by the Applicant. Those arguments speak for themselves and Applicant respectfully declines to make further rebuttal to the



Examiner's currently stated comments, except to say that the Examiner's position that the Declarations of Thoreson and Winner simply repeat arguments made by Applicant is not understood". In response to the preceding argument, the Examiner respectfully submits that the claims that accompanied the response of the Office Action dated July 23, 2002 were not amended compare to the claims presented in response to the Office Action dated July 23, 2002. Therefore, it was not necessary to change the rejection in the Office Action of July 23, 2002 because the references presented in Office action of July 23, 2002 teach all the limitations of claims 1-76 as previously detailed in the aforementioned date and also as detailed in the Office Action dated October 27, 2004.

Regarding to Applicant's argument that "The Examiner has added some additional comments regarding arguments made in the past by Applicant" and that "those arguments speak for themselves and Applicant respectfully declines to make further rebuttal to the Examiner's currently stated comments", It is not clear as to what is meant by the Applicant with respect to the preceding argument, especially, "those arguments speak for themselves and Applicant respectfully declines to make further rebuttal to the Examiner's currently stated comments" because 37 CFR 1.111 requires that the Applicant or patent owner must reply to the Office action. The reply by the applicant or patent owner must be reduced to a writing which distinctly and specifically points out the supposed errors in the examiner's action and must reply to every ground of objection and rejection in the prior Office action. The reply must present arguments pointing out the specific distinctions believed to render the claims, including any newly

presented claims, patentable over any applied references. If the reply is with respect to an application, a request may be made that objections or requirements as to form not necessary to further consideration of the claims be held in abeyance until allowable subject matter is indicated. The applicant's or patent owner's reply must appear throughout to be a bona fide attempt to advance the application or the reexamination proceeding to final action. A general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section.

The Applicant also stated, "Exhibit A, while filed with the Specification as originally filed in the application leading to the above referenced patent for which Reissues is sought was not filed with the Reissue Application as filed and since the Examiner has indicated that a Certificate of Correction during the Reissue is not appropriate to correct the fact this Exhibit was not contained in the Patent as issued, the Exhibit is underlined to indicate it is a modification to the Reissue Application as filed". However, the Applicant did not specifically indicate, for the record, the mailing date and the specific correspondence where the "Examiner has indicated that a Certificate of Correction during the Reissue is not appropriate to correct the fact this Exhibit was not contained in the Patent as issued". As to the content of Exhibit A, the content of this Exhibit presented on June 30, 2004 (Paper # 40E) was objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no

amendment shall introduce new matter into the disclosure of the invention and that the added material (exhibit A), which is not supported by the original disclosure is new matter. Last, the Applicant was required to cancel the new matter in the reply to the last Office Action (mailed on October 27, 2004), which the Applicant failed to do.

The Applicant further argued that "on February 3, 200) a Petition to open a Reexamination of the above referenced patent was filed on behalf of a third anonymous petitioner by Attorney Green. That petition, while mentioning other things, relied solely on the insertion into the proceedings of new prior art reference, Japanese Published Patent Application No. 06-103133 ("Saka"). On April 21, 2004, the petition was granted again solely in reliance on the new Saka reference creating a substantial new issue of patentability, and Reexamination 90/006,541 was initiated and merged with the pending Reissue and reexaminations in the above captioned application". Furthermore, the Applicant argued that "Since the Examiner has not relied upon the Saka reference in any way at all to negate the patentability of any claim in the above captioned application it appears that there is not and never was a substantial new issue of patentability based on the Saka reference and the granting of the petition filed by Attorney Green and the starting of the Reexamination 90/006,541 was improper; and that the "Applicant respectfully requests that Reexamination 90/006,541 be dismissed". The Examiner is respectfully submits that this is a merged reexamination and that all references of record have been fully considered including the Japanese Published Patent Application No. 06-103133 ("Saka"). However, it is in the Examiner's judgment that the rejection of

record over Shaughnessy U.S. Patent no. 5,630,118; Ohms, "Computer Processing of Dates Outside the Twentieth Century"; and Hazma, JP-5-27947 are the strongest rejections than the Saka, JP-6-103113 in that case. Consequently, the Examiner has declined to make a separate rejection base on the Saka JP-6-103113 reference even though the Saka, JP-6-103113 is very pertinent to the claimed invention.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz Coby whose telephone number is 571 272 4017. The examiner can normally be reached on Monday-Saturday 3:00PM-10:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571 272 4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**FRANTZ COBY**  
**PRIMARY EXAMINER**

June 7, 2005